

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GWENDOLYN PORTER, *Administratrix* :  
*of the Estate of Jamere Porter, deceased*  
Plaintiff, :

v. : CIVIL ACTION  
: NO. 16-2252

CROZER CHESTER MEDICAL  
CENTER, INC.; MOHAMMED H. BUDEIR; :  
TIMOTHY J. HARRISON; MARCIN A.  
JANKOWSKI; UNKNOWN PHYSICIANS OF  
CROZER CHESTER MEDICAL CENTER, INC.; :  
COUNTY OF DELAWARE, PENNSYLVANIA;  
COMMUNICATION EDUCATION  
CENTER, INC.; JAMES E. HYMAN; FRANK :  
GREEN; STEVE C. TOMLIN; MELISSA  
WEGLARZ; RONALD B. PHILLIPS;  
MARGARET GRIFFITH; DOROTHY MURRY; :  
SUSAN KENDRA; CATHERINE HALSTEAD;  
LYNN MILANO; SARAH SPERBER; and  
UNKNOWN CORRECTIONAL OFFICERS - :  
EMPLOYEES OF COMMUNITY  
EDUCATIONAL CENTER, INC. AND  
DELAWARE COUNTY, PA  
Defendants.

**ORDER**

AND NOW, this 1<sup>st</sup> day of June, 2017, upon consideration of Defendants Delaware County, the Communication Education Center, Inc., James Hyman, Frank Green, Steve C. Tomlin, Melissa Weglarz, Margaret Griffith, Dorothy Murry, Susan Kendra, and Lynn Milano's Motion to Dismiss ("Delaware County MTD") (ECF No. 32) and Plaintiff's Response thereto (ECF No. 37), Defendant Ronald B. Phillips's Motion to Dismiss ("Phillips MTD") (ECF No. 33) and Plaintiff's Response thereto (ECF No. 38), and Defendants Catherine Halstead and Sarah Sperber's Motion to Dismiss (H&S MTD) (ECF No. 40) and Plaintiff's Response thereto (ECF No. 47), it is hereby ORDERED as follows:

- (1) The Delaware County MTD (ECF No. 32) is GRANTED IN PART;
- (2) The Phillips MTD (ECF No. 33) is GRANTED IN PART;
- (3) The H&S MTD (ECF No. 40) is GRANTED IN PART;

- (4) Counts III, VII, and XI are DISMISSED with prejudice as to all defendants;
- (5) Count IV is DISMISSED with prejudice as to James Hyman, Frank Green, Steve C. Tomlin, and Melissa Weglarz;
- (6) All claims against Sarah Sperber are DISMISSED with prejudice.

BY THE COURT:

/s/ C. Darnell Jones, II

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C. Darnell Jones, II J.